

## FACT SHEET

### Region 6, Vermiculite Products – Cityside Homes, Action Memo

Houston, Harris County, Texas

Issue: Region 6 is requesting OEM concurrence on a draft Action Memo. This removal action is considered nationally significant or precedent setting because asbestos is the principal contaminant of concern. Contamination from the Vermiculite Products facility has impacted an adjacent property. This adjacent property is undergoing active residential redevelopment.

On a December 16, 2013 site visit at the initiation of removal assessment activities at the Vermiculite Products Site, the EPA discovered that the area was rapidly undergoing residential redevelopment. There was active soil disturbing activity ongoing at the property immediately adjacent to the facility. The EPA contacted the developer and informed him of the potential for exposure to asbestos for workers and the general public. The EPA advised the developer to cease soil disturbing activity. The developer halted all construction activity at property and agreed to allow the EPA to sample the in-situ soils and excavated soil piles. As a result of this sampling effort, the EPA identified asbestos in the soils and soil piles and immediately moved to remove the asbestos contaminated soil piles and conduct activity-based sampling (ABS). The results of the ABS indicate a potential child resident exposure to an area of on-site soils which would be available to future child residents.

On the EPA's advice in December 2013, the developer halted all redevelopment activities on the property in late December. Although the EPA moved quickly to remove contaminated soil and assess the remaining on-site soils, there is and continues to be a delay in the resumption of construction activity. The developer has indicated that this delay is causing a continuing financial loss for this enterprise.

The Vermiculite Products- Cityside Homes removal action represents an early action at this Site. This removal action is anticipated to be fund-lead. The EPA will be naming Vermiculite Products as a potentially responsible party. Vermiculite Products is the source of the contamination on this adjacent property. Because of the on-going financial hardship to the developer because of the EPA's activities on this property, the Region has elected to seek reimbursement of the costs incurred in undertaking this removal action in a cost recovery action against Vermiculite Products and business owners.

Background: A removal site assessment is being conducted at the Site by Region 6 in response to an agency-wide initiative to investigate facilities that received vermiculite ore from the W.R. Grace Zonolite Mine in Libby, Montana. The Vermiculite Products Site is the location of an operating vermiculite expansion plant. According to W.R. Grace shipping records, the expansion plant received an estimated, 213,750 tons of raw vermiculite ore from the Zonolite Mine. We also anticipate pursuing W.R. Grace as a PRP.

Key Concerns: